

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

DONALD EUGENE COOKS,)
)
Plaintiff,)
)
v.) Case No. CIV-23-1178-R
)
TYLER ARNEY, et al.,)
)
Defendant.)

ORDER

Plaintiff, proceeding pro se, has submitted a notice [Doc. No. 57] indicating that he never received a copy of the Motion to Stay [Doc. No. 49] filed by Defendants and requesting permission to submit an objection out of time. Initially, the Court observes that the Motion to Stay reflects that it was mailed to Plaintiff's address of record. *See Kirby v. O'Dens*, No. 14-CV-388-GKF-PJC, 2015 WL 2341535, at *3 (N.D. Okla. May 14, 2015) ("Service by mail is complete upon mailing. Mailing to a person's last known address completes effective service, even if the mail is not received.") (citations omitted). Additionally, although the Motion to Stay was unopposed, the Court granted the motion after considering the merits of Defendants' arguments [Doc. No. 56]. In any event, if Plaintiff believes the stay is not warranted, he is permitted to file a motion seeking to lift the stay.

Accordingly, Plaintiff's filing [Doc. No. 57] is denied as moot.

IT IS SO ORDERED this 23rd day of January, 2025.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE